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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,393	07/15/2003	John Hawes	930039-2064	7678
20999	7590	05/24/2005	EXAMINER	
FROMMERM LAWRENCE & HAUG 745 FIFTH AVENUE- 10TH FL. NEW YORK, NY 10151			HUG, ERIC J	
		ART UNIT	PAPER NUMBER	
		1731		

DATE MAILED: 05/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Office Action Summary	Application No.	Applicant(s)	
	10/619,393	HAWES, JOHN	

Examiner	Art Unit	
Eric Hug	1731	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 14 March 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) 1-30 is/are allowed.
- 6) Claim(s) 31-36 is/are rejected.
- 7) Claim(s) 37-40 is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 15 July 2003 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) Notice of Informal Patent Application (PTO-152)
- 6) Other: _____.

Response to Amendment

The following is in response to the amendment filed on March 14, 2005.

Claim Rejections - 35 USC § 102

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claims 31-36 are rejected under 35 U.S.C. 102(e) as being anticipated by Watanabe (US 6,514,386). Watanabe discloses a papermaking felt (press fabric) having a film layer 5 with elongated ridges oriented in the cross-machine direction (90 degrees to the machine direction). Figure 6 shows in particular that this layer can be made up of rectangular grooves and lands, each lying in a plane and parallel to one another. Other embodiments comprise rounded grooves. A batt layer is eventually needled to the film layer. During needling, the film layer is perforated, rendering the layer water-permeable (column 5, lines 1-7) as needed for the felt. Therefore, the fabric comprises a layer having lands, grooves, and perforations that extend from the top surface to the bottom surface.

Allowable Subject Matter

Claims 1-30 are allowed.

Claims 37-40 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

Claim 37 is allowable for further providing a cross-hatched pattern.

Claims 38-40 are allowable for further specifying the location of the perforations relative to the lands and grooves.

Watanabe (above) discloses land/grooves oriented in the cross-machine direction. The perforations due to needling are randomly dispersed.

Response to Arguments

Applicant's arguments filed March 14, 2005 have been fully considered.

Applicant's arguments and amendments to the claims have overcome the rejections set forth previously over Trokhan (US 6,193,847), Joyce (US 6,726,809), and Chalon (US 1,925,917). Applicant has also overcome the rejection of Claims 1-6, 11-16, and 21-26 over Watanabe.

Applicant's arguments are not persuasive regarding the rejection of claims 31-36 over Watanabe as set forth above. Watanabe discloses a press fabric having a layer with the features of lands, grooves, and perforations as claimed. Regarding the claimed feature wherein the land

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areas, groove areas, and perforations minimize pattern formation on the paper sheet, it is the examiner's position that the felt of Watanabe is designed to minimize pattern formation on the sheet. Column 5, lines 55-64, which Applicant has cited in the arguments, states that the felt of is capable of running flexibly and smoothly in the winding path of the paper making machine and resists becoming flat by fatigue, even if subjected to repeated compression by the action of the nip pressure. Thus, the film layer provides elastic stability to the fabric and allows the fabric to run smooth. These are characteristics which are important in preventing marking of the paper sheet by the felt structure (usually by the base layer) as the felt and sheet pass through the press nip. Press felts are typically designed to maximize sheet dewatering while minimizing sheet marking.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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